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In re application of:  
Kostas Kaplanis et al.

Serial No.: 10/760,124                      Group Art Unit: 3742  
Filed: January 16, 2004  
Docket No.: 1501ACON  
For: SPACE HEATER WITH AREA LIGHT SOURCE  
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I hereby certify that this paper titled Submission of Terminal Disclaimer in Response to Office Action of February 4, 2005 is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Name: Marilyn Gibas

Signature: Marilyn Gibas                      Date: May 4, 2005

PATENT APPLICATION  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
Kostas Kaplanis et al.

Serial No.: 10/760,124

Examiner John A. Jeffery

Filed: January 16, 2004

Group Art Unit: 3742

Docket No.: 1501ACON

For: SPACE HEATER WITH AREA LIGHT SOURCE

Commissioner for Patents  
P. O. Box 1450  
Alexandria, Virginia 22313-1450

SUBMISSION OF TERMINAL DISCLAIMER  
IN RESPONSE TO  
OFFICE ACTION OF FEBRUARY 4, 2005

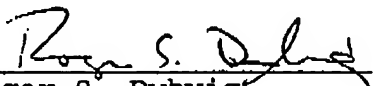
Sir:

A terminal disclaimer is submitted herewith to advance the prosecution of this application.


Please charge the terminal disclaimer fee under 37 C.F.R. 1.20(d) to deposit account 04-2221.

The filing of the disclaimer obviates the sole ground of rejection set forth in the Office Action of February 4, 2005. Therefore, it is requested this application be passed to issue.

Respectfully submitted,

  
Roger S. Dybvig  
Registration No. 19,319  
22 Green Street  
Dayton, Ohio 45402  
(937) 461-1142

**MAY 04 2005**

<b>Terminal Disclaimer To Obviate A Double Patenting Rejection Over A Prior Patent</b>				Docket No. <b>1501ACON</b>	
In Re Application Of: <b>Kostas Kaplanis et al.</b>					
Application No. <b>10/760,124</b>	Filing Date <b>Jan. 16, 2004</b>	Examiner <b>John A. Jeffery</b>	Customer No. <b>026366</b>	Group Art Unit <b>3742</b>	Confirmation No. <b>7375</b>
Invention: <b>SPACE HEATER WITH AREA LIGHT SOURCE</b>					
Owner of Record: <b>The W. B. Marvin Manufacturing Company</b>					
<p><b><u>COMMISSIONER FOR PATENTS:</u></b></p> <p>The above-identified owner of record of a 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,810,205. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors and/or assigns.</p> <p>In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.</p> <p>Check either box 1 or 2 below, if appropriate.</p> <p>1. <input type="checkbox"/> For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p> <p>2. <input checked="" type="checkbox"/> The undersigned is an attorney of record.</p> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 20px;"> <div style="text-align: center;">   <hr style="width: 30%; margin: 0 auto;"/> <p><b>Roger Dybvig</b> <i>Typed or Printed Name</i></p> </div> <div style="text-align: right;"> <p>Dated: <b>May 4, 2005</b></p> </div> </div> <div style="margin-top: 10px;"> <input checked="" type="checkbox"/> Terminal disclaimer fee under 37 C.F.R. 1.20(d) included.  <input checked="" type="checkbox"/> PTO suggested wording for terminal disclaimer was unchanged.  <input type="checkbox"/> Certification under 37 C.F.R. 3.73(b) is required if terminal disclaimer is signed by the assignee.         </div>					